

REMARKS

The only issues outstanding in the Office Action mailed February 20, 2008, are the rejections under 35 U.S.C. 112 and 103. Reconsideration of these rejections is respectfully requested, in view of the following discussion.

Rejection Under 35 U.S.C. 112

Claims 1-10, 12 and 13 have been rejected under 35 U.S.C. 112, second paragraph. The Examiner is thanked for pointing out translation errors in various claims, in which “electrode” should have been “electrolyte” as clearly evident from, for example, claims 4-10 and the specification at page 3, paragraph [0006].

Moreover, claim 1 has been amended in order to provide antecedent basis for the transfer ion source recited in claim 12. Withdrawal of all of the rejections under 35 U.S.C. 112 is therefore respectfully requested.

Rejection Under 35 U.S.C. 103

Claims 1-10 have been rejected under 35 U.S.C. 103 over Ono (JP ‘821) taken with Watarai (JP ‘539). Reconsideration of this rejection is respectfully requested.

It is argued, at pages 2 and 3 of the Office Action, that Ono discloses a polymer electrolyte made of specified cations and anions, and further argued that this composition differs from the present claims by failing to disclose an electrochemically inert polymer reinforcing material. However, the Office Action argues that its deficiency is remedied with the citation of Watarai, disclosing a cell including a matrix polymer. The Office Action further argues that, because of mechanical strength argued to be provided by the matrix polymer, it would be obvious to use the matrix polymer of the secondary reference in the primary reference. However, Applicants respectfully disagree with this analysis. There is no discussion in the Office Action whether one of ordinary skill in the art would have a reasonable expectation of success in employing the electrolyte solution with the reinforcing material of the secondary reference. Inasmuch as the reinforcing material must be compatible with the polymerization reaction to

form the electrolyte, it is submitted that the Office Action has not carried its burden of establishing a case of prima facie obviousness by establishing that one of ordinary skill in the art would reasonably expect that the materials would perform for their intended purpose. As such, it is submitted that the rejection under 35 U.S.C. 103 should be withdrawn.

Claims 12 and 13 have also been rejected under 35 U.S.C. 103 in view of Ono, Watairi and Gan (U.S. '170). Gan is cited solely for specific lithium ions. However, as discussed above, compatibility has not been addressed. In the absence of compatibility, one of ordinary skill in the art does not find the proposed combination to be obvious. It is accordingly respectfully submitted that all rejections under 35 U.S.C. 103 should be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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